

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 06-08-SLR
	:	
RICHARD REID,	:	
	:	
Defendant.	:	

DEFENDANT'S PROPOSED VOIR DIRE

The defendant, Richard Reid, by and through his undersigned counsel, Eleni Kousoulis, hereby proposes the following voir dire questions:

1. A fundamental principal of our legal system is that when a person is charged with a criminal offense he is presumed to be innocent unless and until the government proves guilt beyond a reasonable doubt.

If you are selected as a juror in this case will any of you have reservations or other difficulty applying this rule of law?

2. Have any of you already formed an opinion as to Mr. Reid's guilt or innocence?

3. Do any of you believe that because it is the government that is proceeding with this prosecution, that Mr. Reid therefore must be guilty?

4. Do any of you believe that it is the responsibility of the person accused to prove their innocence?

5. Mr. Reid has a constitutional right not to testify. There are many people who feel that if an accused person does not testify, then he must be hiding something. They would expect him to testify. Do any of you believe that if an accused person does not testify, then the accused must be hiding something?

6. Mr. Reid is charged with Possession With Intent to Deliver Cocaine Base, Possession of Cocaine Base and Marijuana, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, and Possession of a Firearm and Ammunition by a Felon (this charge to be read only if Defendant's Motion in Limine to bifurcate the charges is not granted.)

Would anything about the nature of these charges cause difficulty for you as a juror to sit in this case?

7. Do any of you have such strong feeling about the charges in general that you would feel unable to sit as a juror on this case?

8. Do any of you belong to crime prevention societies, including but not limited to a neighborhood watch organization?

9. Have any of you been a witness to, victim of, or convicted of a crime?

10. Do any of you believe that you will give more weight or less weight to the testimony of law enforcement agents simply by the nature of their job as law enforcement agents?

11. Do you believe that a witness must be trustworthy and reliable just because they are called by the government?

12. Have any of you sat on a Grand Jury before?

The standard of proof at a grand jury is different than at trial; you must listen to my instructions as to what the standard is in a criminal trial. Would any of you have difficulty with that?

13. Have any of you sat as a juror on a trial before?

Was it a civil or criminal case? Did the jury reach a verdict?

Is there any thing about that experience that would make it difficult for you to sit as a juror in this case?

14. Have you or your family members ever testified in a criminal case? If yes, was it for the prosecution or for the defense, and how did you feel about the experience?

15. Are any of you, or do you have close friends or relatives, who are lawyers or who have studied law?

Will you be able to set aside your training and experiences and decide this case on the evidence?

16. Have any of you worked for, done volunteer work for, or recently applied to work for a law enforcement organization, or do you have close friends or relatives who fit that category – that includes police departments, security offices, the FBI, CIA, ATF, Justice Department, Military Police, DEA, or the United States Attorney's Office? Are any of you a member of or regularly give financial support to the Fraternal Order of Police? Would that affect your ability to be fair in this case or would it otherwise make it difficult for you to sit as a juror in this case?

17. In order to reach a verdict, jurors must reach the same conclusion. In deliberations you must consider the opinions and points of your fellow jurors, but in the final analysis you must follow your own conscience and be personally satisfied with the verdict.

Will any of you have difficulty expressing your own opinions and thoughts about this case to your fellow jurors? Do any of you feel that you will tend to go along with the majority of jurors even if you don't agree just because you are in the minority?

18. Do any of you have health reasons that would cause you difficulty in sitting as jurors?

Do any of you have trouble hearing or do any of you notice that the person next to you does not seem to hear what is going on?

19. Have you heard, read, or seen anything about this case from any source, including the newspapers, radio, television, magazines, or other people?

20. Can you think of any reason which you should call to the Court's attention which may have some bearing on your qualifications as a juror or which may prevent you from rendering a fair and impartial verdict based solely on the evidence and instructions as to the law given by the Court?

Respectfully submitted,

/s/

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Dated: January 30, 2007